



Order under Section 69 Residential Tenancies Act, 2006

Citation: Amato v Shabbaz, 2026 ONLTB 44991

Date: 2026-06-12

File Number: LTB-L-026400-26

In the matter of: 5644 NINTH LINE
MISSISSAUGA ON L5M0R5

Between: Giuseppe Michele Amato Landlord

And

Muhammad Shabbaz Tenant

Giuseppe Michele Amato (the 'Landlord') applied for an order to terminate the tenancy and evict Muhammad Shabbaz (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 3, 2026.

Only the Landlord attended the hearing.

As of 2:48 pm, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).

Preliminary Issues:

2. At the hearing, I reviewed the Landlord's Certificate of Service (COS). The Landlord filed with the Board a COS stating that on March 23, 2026 he emailed to the Tenant the L1 application. There are several problems with this document. The Landlord was required to provide a COS stating he served the Tenant with the N4 termination notice. The Landlord failed to do so.
3. Even if I were to accept that the Landlord served the N4 notice and not the L1 as identified, the next problem is the date it was served. The Landlord was required to give the Tenant

14 days notice. The N4 was signed on March 6, 2026 and the COS states that the document was not served to the Tenant until March 23, 2026, after the termination date.

4. I also note, during pre-amble and again in the hearing room, the Landlord was put on notice to file a current L1/L9 update sheet, he failed to do so.
5. The Landlord understood that due to the deficiencies with the N4 notice and COS, the Board does not have jurisdiction to terminate the tenancy. The Landlord opted to proceed with an order for arrears only.
6. The matter was stood down to allow the Landlord time to provide a current L1/L9 update sheet. When the matter resumed and while reviewing the update sheet, the Landlord made reference to payments that were not included on the update sheet. There continued to be a discrepancy in the amount claimed.
7. The matter was stood down again to allow the Landlord to complete an accurate L1/L9 update sheet. Upon return, I confirmed I did not receive an additional email nor was it in the Tribunals Ontario Portal.
8. As explained to the Landlord, he bears the burden to provide accurate accounting to support his claim. Having provided him with multiple opportunities to do so, he failed to meet the burden. As such, the application is dismissed.
9. The Landlord may wish to seek legal counsel to assist with navigating the LTB process and requirements.
10. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Landlord's application is dismissed.

June 12, 2026
Date Issued

Dana Wren
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.